



9715.00002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Richard W. Ettinger, Jr. ) Examiner:  
)  
Serial No.: 10/616,878 ) Group Art Unit: 3629  
)  
Filed: July 10, 2003 ) Confirmation No. 2641

For: AUTOMATED OFFER-BASED NEGOTIATION SYSTEM AND METHOD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the following information is being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

*Applicant was previously affiliated with a company known as NationalHousewares.com (the "Company"). The Company maintained a website that permitted web users to view potential products (houseware products) that were offered for sale by the Company. All products available for purchase at the Company's website were posted by the Company. Web users were permitted to make offers for product(s) posted at the Company's website. In response to a web user's offer, the Company's website was programmed to extend a counter-offer pursuant to parameters set by the Company. However, the Company's counter-offers did not vary based on price/quantity breaks with counter offer ranges and wait periods. In addition, as noted above, the Company's website was designed to permit third parties to post products for sale. Thus, the Company's website could not be utilized by third parties to define customized criteria for each third party item posted for sale at the website.*

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Attorney Docket:

The Information Disclosure Statement submitted herewith is being filed, to the best of applicant's knowledge, before the mailing date of a first Office Action on the merits.

The filing of this Information Disclosure Statement shall not be construed to be a representation that a search has been conducted, nor shall it be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

It is respectfully requested that the Examiner return a copy of the attached form PTO-1449 with initials or other appropriate marks indicating consideration of the cited materials.

Respectfully submitted,

Date: February 17, 2004



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I hereby certify that the enclosed Information Disclosure Statement along with a PTO-1449 Form are being deposited with the United States Postal Service as first class mail, postage prepaid, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 17, 2004.

Dated: February 17, 2004

  
Joan Simmons

HARTFORD: 608834.01

